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PTO/SB/05 (12/97) (modified)

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9/17 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 359872000810

Total Pages 59

First Named Inventor or Application Identifier

Gilles H. TAPOLSKY and David W. OSBORNE

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cc825 U.S. PTO  
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## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Tatania Grollman

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 46]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 1]
4. ☒ Oath or Declaration [Total Pages 3]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d)  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in  
the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the  
oath or declaration is supplied under Box 4b, is considered as being  
part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure  
Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations
12. ☒ Preliminary Amendment - 2 pages
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Small Entity ☒ Statement filed in prior application,  
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority  
Document(s) (if foreign priority is  
claimed)
16. ☒ Associate Power of Attorney - 3 pages

## 17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/069,703 filed April 29, 1998 which is a  
Continuation-in-part of PCT/US97/18605, filed 10/16/97, which is a PCT application claiming priority from serial no.: 08/734,519 filed  
10/18/96

## 18. CORRESPONDENCE ADDRESS

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☒ If a paper is untimely filed in the above-referenced application by applicant or his/her representative, the Assistant Commissioner is hereby petitioned under 37 C.F.R. § 1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Assistant Commissioner is hereby requested to charge any fee required under 37 C.F.R. § 1.17(a)-(d) to **Deposit Account No. 03-1952**. However, the Assistant Commissioner is **NOT** authorized to charge the cost of the issue fee to the Deposit Account.

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	14 - 20 =	0	x \$18.00	\$0
INDEPENDENT CLAIMS	4 - 3 =	1	x \$80.00	\$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0
			BASIC FEE	\$710.00
TOTAL OF ABOVE CALCULATIONS =				\$790.00
Reduction by 1/2 for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28). If applicable, verified statement must be attached.				\$395.00
Assignment Recording Fee (if enclosed)				\$0
			TOTAL =	\$395.00

☒ A check in the amount of \$395.00 is attached.

Applicant(s) hereby petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees or to credit any overpayment to **Deposit Account No. 03-1952** referencing docket no. 359872000810.

Dated: October 4, 2000

Respectfully submitted,

By: Catherine J. Kara  
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